

**Staff  
Summary  
Report**



**To: Mayor and City Council**  
**Through: City Manager**

**Agenda Item Number** 13  
**Meeting Date:** 03/29/01

**SUBJECT: WASHINGTON MUTUAL BANK #SBD-2001.19**

**PREPARED BY:** Hector Tapia, Senior Planner (480-350-8331)

**REVIEWED BY:** Dave Fackler, Development Services Manager (480-350-8333)

**BRIEF:** Request by Washington Mutual Bank for a Final Subdivision Plat at 1821 East Guadalupe Road.

**COMMENTS:** **PLANNED DEVELOPMENT (0406)** Request by **WASHINGTON MUTUAL BANK** (Weingarten Realty, property owner) for a Final Subdivision Plat located at 1821 East Guadalupe Road. The following approval is requested from the City of Tempe:

**#SBD-2001.19** A Final Subdivision Plat for one lot on 0.67 net acres at 1821 East Guadalupe Road.

Document Name: 20010329devsrh03

Supporting Documents: Yes

**SUMMARY:** Washington Mutual Bank is leasing the area dedicated for Pad A, 0.67 net acres, within Pueblo Anozira Commercial Center. This request for a Final Plat creates Lot 1 as part of the overall shopping center. Since the new lease lines effected the building setbacks, in a separate application, the applicant requested an Amended General Plan of Development for Pueblo Anozira and a side yard and rear yard building setback variances. Planning Commission approved that request on February 13, 2001. The proposed Lot 1 appears to meet the technical standards of Subdivision Ordinance 99.21. On March 13, 2001, Planning Commission approved this request on their consent agenda. Staff recommends approval and public input is not required for this request.

**RECOMMENDATION:** Staff - Approval  
Public - None

- ATTACHMENTS:**
1. List of Attachments
  - 2-3 History & Facts / Description / Comments
  - 4 Conditions of Approval
- 
- A. Location Map
  - B. Final Subdivision Plat
  - C. Letter of Intent/Authorization

## **HISTORY & FACTS:**

<u>October 7, 1974</u>	City Council approved a master plan for Anozira Partnership for a 203 acre parcel, including granting PCC-2, R/O and R1-7 zoning.
<u>October 11, 1984</u>	City Council approved an Amended General Plan for the PCC-1 portion of the shopping center on this site.
<u>January 9, 1986</u>	City Council approved an Amended General Plan for the center.
<u>March 20, 1986</u>	City Council approved a Final Plan of Development for the center.
<u>May 21, 1987</u>	City Council approved an Amended General and Final Plan of Development for the center.
<u>March 10, 1988</u>	City Council approved an Amended General and Final Plan for Pad C (El Pollo Loco) in the center with a use permit for outside dining.
<u>August 11, 1988</u>	City Council approved a 2nd Amended General and Final Plan for a service station (convenience store with gas pumps) on Pad B, part of the subject site. (This plan was never effectuated.)
<u>August 25, 1988</u>	City Council approved a 3rd Amended General and Final Plan for a dry cleaning facility on Pad A in the center.
<u>Sept. 28, 1989</u>	City Council approved a use permit for a veterinarian clinic in the center.
<u>October 18, 1990</u>	City Council approved a 4th Amended General and Final Plan for Caliber Branch Bank on Pad B in the center. (This plan was never effectuated.)
<u>July 16, 1992</u>	City Council approved the request of Lomas Mortgage USA for a 4th Amended General and Final Plan of Development and use permits to allow an outdoor play area for a day care center at Shops C and an outdoor dining patio at Shop F., subject to conditions.
<u>October 8, 1992</u>	City Council approved a Daddy-O's Express Drive-Thru Restaurant for Pad B-1, subject to conditions. (This project was never effectuated.)
<u>October 28, 1993.</u>	City Council approved the Taco Bell Restaurant request on adjacent Pad B, creating the current driveway configuration, anticipating a drive thru restaurant on the subject site.
<u>November 18, 1993.</u>	City Council continued the case until December 9th and requested that the Traffic Engineer address traffic congestion concerns voiced by one adjacent neighbor.

<u>January 13, 1994.</u>	City Council approved an Amended General Plan of Development for the overall center and a Final Plan for Pad B-1 for a Whataburger drive-thru restaurant with a use permit for outdoor dining and two bldg. setback variances, subject to conditions which included a "right turn and left turn only" pavement marking to be installed for exiting traffic at the west driveway and all other existing driveways to address the traffic congestion concern of an adjacent neighbor. (This plan was never recorded and therefore never effectuated.)
<u>January 12, 1995.</u>	City Council approved a Kenny Roger's Roaster restaurant on Pad B-1 at 1817 E. Guadalupe Rd. (This plan was never recorded and therefore never effectuated.)
<u>June 20, 1996.</u>	City Council approved a use permit for a sports bar (Ball Park Pub) subject to five conditions.
<u>January 9, 1997.</u>	City Council approved an Amended General and Final Plan of Development for Pad B-1 for Starbuck's Coffee House consisting of 3,428 s.f. with a use permit to allow outdoor dining and a variance to reduce the side yard setback from 40' to 12'.
February 13, 2001.	Planning Commission approved an Amended General for Pueblo Anozira Commercial Center and a Final Plan of Development for Washington Mutual Bank, including two building setback variances.

**DESCRIPTION:** Owner – Weingarten Realty  
Applicant – Design Forum Architects – Gregory Duff  
Engineer – Site Consultants, Inc.  
Existing zoning – PCC-1  
Total Site Area – 0.67 net acres  
Number of Lots Proposed - 1

**COMMENTS:** Washington Mutual Bank is leasing the land area dedicated for Pad A, 0.67 net acres, within Pueblo Anozira Commercial Center. This request for a Final Plat creates Lot 1 as part of the overall shopping center. Since the new lease lines effected the building setbacks, in a separate application, the applicant requested an Amended General Plan of Development for Pueblo Anozira and side yard and rear yard building setback variances. Planning Commission approved that request on February 13, 2001.

The proposed Lot 1 appears to meet the technical standards of Subdivision Ordinance 99.21. Staff recommends approval and public input is not required for this request.

**REASON(S) FOR  
APPROVAL:**

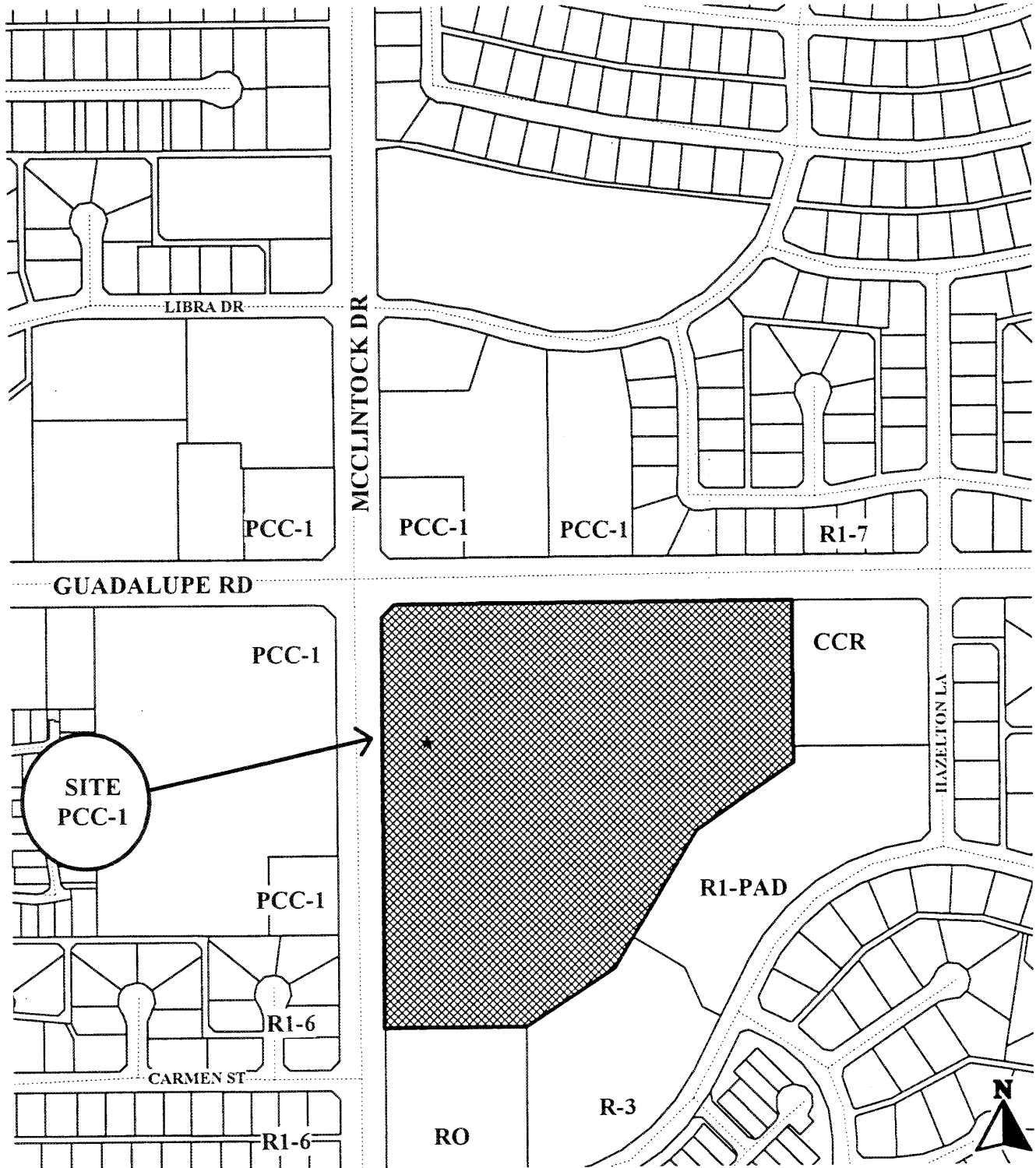
1. The plat appears to meet the minimum requirements of Subdivision Ordinance No. 99.21.

**CONDITION(S)  
OF APPROVAL:**

1. a. The Public Works Department shall approve all roadway, alley, and utility easement dedications, driveways, storm water retention, and street drainage plans, water and sewer construction drawings, refuse pickup, and off-site improvements.
- b. Off-site improvements to bring roadways to current standards include:
  - (1) Water lines and fire hydrants
  - (2) Sewer lines
  - (3) Storm drains.
  - (4) Roadway improvements including streetlights, curb, gutter, bikepath, sidewalk, bus shelter, and related amenities.
- c. Fees to be paid with the development of this project include:
  - (1) Water and sewer development fees.
  - (2) Water and/or sewer participation charges.
  - (3) Inspection and testing fees.
- d. All applicable off-site plans shall be approved prior to recordation of Final Subdivision Plat.
2. a. All street dedications shall be made within six (6) months of Council approval.
- b. Public improvements must be installed prior to the issuance of any occupancy permits. Any phasing shall be approved by the Public Works Department.
- c. All new and existing, as well as on-site and off-site, utility lines (other than transmission lines) shall be placed underground prior to the issuance of an occupancy permit for this development in accordance with the Code of the City of Tempe - Section 25.120.
3. Should the property be subdivided, the owner(s) shall provide a continuing care condition, covenant and restriction for all of the project's landscaping, required by Ordinance or located in any common area on site. The CC&R's shall be in a form satisfactory to the Development Services Director and City Attorney.
4. No variances may be created by future property lines without the prior approval of the City of Tempe.
5. A Final Subdivision Plat shall be recorded with the Maricopa County Recorder's Office through the City of Tempe's Development Services Department prior to issuance of building permits. Details of the document format shall be reviewed by the Planning Division staff prior to recordation by the Maricopa County Recorder.

WASHINGTON MUTUAL BANK

SBD-2001.19



Location Map

A





SPR 00182

WEINGARTEN  
REALTY  
MANAGEMENT  
COMPANY2000 United Plaza Drive  
Houston, Texas 77008  
P.O. Box 921133  
Houston, Texas 77292-1133  
(713) 866-0000  
FAX (713) 866-0001

January 24, 2001

Certified Mail# 7099 3220 0005 0393 4242  
Return Receipt RequestedWashington Mutual Bank, F.A.  
1201 Third Avenue, Suite 800  
Seattle, WA 98101  
Attention: Corporate property Services ManagerRE: Landlord: Weingarten Realty Investors  
Tenant: Washington Mutual Bank, F.A.  
Premises: Approximately 34,147 feet in Landlord's  
Pueblo Anozira Shopping Center, Tempe, Arizona  
1821 E. Guadalupe Rd.  
Gentlemen:


Section 27.01 of the referenced Lease provides that the Lease was conditioned upon Landlord obtaining approval from a third party occupant of the Shopping Center for the construction of Tenant's building at the Leased Premises. Please accept this letter as your formal written notice that Landlord has obtained the required approval for the operation of a Washington Mutual Bank in the referenced Leased Premises. Accordingly, the condition set forth in Section 27.01 of the Lease has been satisfied and the Lease is in full force and effect. You may now proceed with the construction of the improvements at the Leased Premises subject to the terms and conditions of the Construction Rider attached to the Lease.

Sincerely,

WEINGARTEN REALTY INVESTORS

By: Weingarten Realty Management Company

By:

  
Jan. W. Odom  
Associate Counsel

JWO:ms

Enclosures

cc: Miles Sanchez

~~CONFIDENTIAL~~

Copy to Greg Duff

602/263-4732

C